

**REMARKS-General**

1. The newly drafted independent claim 25 incorporates all structural limitations of the original claim 1 and includes further limitations previously brought forth in the disclosure. No new matter has been included. All new claims 25-33 are submitted to be of sufficient clarity and detail to enable a person of average skill in the art to make and use the instant invention, so as to be pursuant to 35 USC 112.
2. Also, it should be known that in order to incorporate the safety arrangement (40) with the pusher button (35), the pusher button (35) should have a slot or a cut-out on a sidewall of the pusher button (35) such that the stopper (433) is allowed to extend from the switch member (431) into the lighter housing (21) through the slot or the cut-out. Therefore, when the pusher button (35) is depressed, the stopper (433) is allowed to slide into the pusher button locking cavity (351). A person of average skill in the art is able to easily make the slot or the cut-out at the sidewall of the pusher button (35) in order to incorporate with the safety arrangement (40).

**Response to Rejection of Claims 1-24 under 35USC112**

3. The applicant submits that the newly drafted claims 25-33 particularly point out and distinctly claim the subject matter of the instant invention, as pursuant to 35USC112.

**Regarding to Rejection of Claims 1-24 under 35USC102**

4. The Examiner rejected claims 1-24 as being anticipated by Jon patent (WO 99/47855). However, the Jon patent and the instant invention are not the same invention according to the fact that the independent claim 1 of the Jon patent does not read upon the instant invention and the newly drafted independent claim 25 of the instant invention does not read upon the Jon patent too. Apparently, the instant invention, which discloses a utility lighter with a safety arrangement, should not be the same invention as the Jon patent which discloses an ignition resistance mechanism.

5. Jon fails to anticipate the following substantial features:

- (i) a gas releasing unit for control a flow of the liquefied fuel, wherein the gas releasing unit comprises a gas lever having a pivot end engaged with the gas

emitting nozzle and an actuating end arranged to be depressed so as to pivotally lift up the gas emitting nozzle for releasing the liquefied fuel, and a **gas actuating arm integrally extended from the pusher button towards the actuating end of the gas lever** such that when the pusher button is depressed, the gas actuating arm is driven to depress the actuating end of the gas lever for releasing the liquefied fuel so as to ignite the liquefied fuel at the ignition tip (as claimed in newly drafted claim 25);

(ii) **a stop post integrally extended from the pusher button at a position parallel to the gas actuating arm** (as claimed in newly drafted claim 25);

(iii) **a locking member, which comprises a switching member slidably mounted on the sidewall of the casing along the safety slot and a stopper which is integrally extended from the switching member into the lighter housing through the safety slot and is normally blocked up the pusher button sliding towards the piezoelectric unit,** (as claimed in newly drafted claim 25);

(iv) **wherein the safety slot is transversely provided on the sidewall of the lighter housing with respect to a sliding movement of the pusher button, wherein the switching member is slid on the sidewall of the lighter housing along the safety slot to drive the stopper between a locked position and an unlocked position,** (as claimed in newly drafted claim 25);

(v) **wherein at the locked position, the stop post is aligned with the stopper such that the pusher button is blocked to be pushed towards the piezoelectric unit for ignition** (as claimed in newly drafted claim 25), and

(vi) **wherein at the unlocked position, the switch member is slid on the sidewall of the light housing along the safety slot to drive the stopper to move to an offset position that allows the pusher button to be depressed to depress the movable part of the piezoelectric unit and to depress the actuating end of the gas lever simultaneously for igniting the utility lighter** (as claimed in newly drafted claim 25).

6. Jon merely anticipates an ignition resistance mechanism includes a protruded lever (T1) fixed to the trigger (T), a U-shaped ignition resistant button (10) having a finger pad protruding out of a formed air hole (C1) and two supporting legs, and a

stopper (11) attached to at least one supporting leg and extending parallel towards the protruded lever. However, Jon fails to anticipate the switching member is slid on the sidewall of the lighter housing along the safety slot wherein the safety slot is transversely provided on the sidewall of the lighter housing with respect to the sliding movement of the pusher button such that the switching member is slid along the safety slot between the locked and unlocked position.

7. Regarding to claim 25 of the instant invention, Jon merely suggests in page 11, that "when the trigger is depressed, the protruded lever (T1) does not abut the stopper (11) and the trigger (T) activates the piezoelectric unit (PU) and engages the nozzle lever (NL) to open the nozzle (N) and release fuel". It is apparent that Jon fails to teach and anticipate the same recitation and limitation in the independent claim 25 of the instant invention of using the gas releasing unit for control a flow of the liquefied fuel such that when the pusher button is depressed, the gas actuating arm which is extended parallel to the stop post is driven to depress the actuating end of the gas lever for releasing the liquefied fuel so as to ignite the liquefied fuel at the ignition tip of the gas tube.

8. The applicant respectfully submits that Jon fails neither suggest nor anticipate the following distinctive features as claimed in the claims 26-33 as amended above:

(i) In page 10, Jon merely suggests springs (12), which are embodied as the compression springs, are attached to the supporting legs urging the ignition resistant button (10) upward towards an "OFF" position. The applicant respectfully submits that the coil spring is not equivalent to the spring taught by Jon. Accordingly, the coil spring, as shown in Figs. 10 an 11, not only provides an urging force against the locking member with respect to the inner wall of the internal cavity but also creates enough space between two end portions thereof for the locking member to slide along the safety slot between the locked position and the unlocked position as claimed in the claims 26.

(ii) In addition, Jon never mentions any concept of how to slidably lock the stopper (11) at the handle (H). The applicant respectfully submits the respective end portion of the resilient element is fittingly engaged with the retaining groove at the stopper to lock up the locking member on the sidewall of said casing while a coil body of the resilient element is securely mounted to the coil holder to secure the two end portion

of the resilient element to bias against the locking member and the inner wall of the internal cavity respectively as claimed in claim 27. In other words, the locking member cannot be slidably locked on the sidewall of the lighter housing by substituting the compression spring (12) taught by Jon. Therefore, the coil spring of the resilient element also functions as a locking device to slidably lock up the locking member on the sidewall of the lighter housing.

(iii) A mere recitation of the gas lever in Jon does not anticipate or suggest any gas actuating arm having a driving shoulder provided between a bottom end of the gas actuating arm and a bottom side of the pusher button as claimed in the instant invention. Accordingly, a pivot movement at the pivot end of the gas lever is smaller than a pivot movement at the actuating end of the gas lever. In order to offset the difference of the pivot movements at the pivot end and the actuating end of the gas lever when the pusher button is depressed, the gas actuating arm slides at the actuating end of said gas lever until the driving shoulder of the gas actuating arm substantially biases against the actuating end of the gas lever to depress the actuating end of the gas lever so as to pivotally lift up the pivot end thereof as claimed in claims 28 to 30.

(iv) Jon also fails to anticipate the elements of the claims 31-33 of the instant invention including the gas lever having a slanted engaging surface formed on the actuating end and the gas actuating arm having a corresponding slanted driving surface formed at the bottom end to slidably engage with the slanted engaging surface of the gas lever so as to substantially guide the gas actuating arm to slide along the slanted engaging surface of the gas lever until the driving shoulder of the gas actuating arm is engaged with the actuating end of the gas lever.

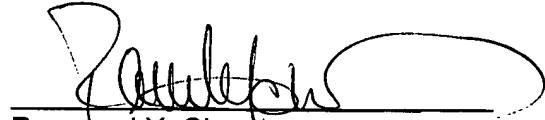
9. Applicant believes that for all of the foregoing reasons, all of the claims 25-33 are in condition for allowance and such action is respectfully requested.

#### **The Cited but Non-Applied References**

10. The cited but not relied upon references have been studied and are greatly appreciated, but are deemed to be less relevant than the relied upon references.

11. In view of the above, it is submitted that the claims are in condition for allowance. Reconsideration and withdrawal of the objection are requested. Allowance of claims 25-33 at an early date is solicited.
12. Should the Examiner believe that anything further is needed in order to place the application in condition for allowance, he is requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,

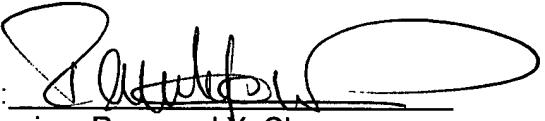


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